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CONFERENCE OF THE STATES PARTIES TO THE CONVENTION
ON THE RIGHTS OF THE CHILD

SUMMARY RECORD OF THE 11th MEETING

Held at Headquarters, New York,
on Tuesday, 12 December 1995, at 10.30 a.m.

Temporary Chairperson: Mr. CORELL
(Representative of the
Secretary-General)

Chairperson: Mr. MUTHAURA (Kenya)

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The meeting was called to order at 11.15 a.m.

OPENING OF THE CONFERENCE BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS

1. The TEMPORARY CHAIRPERSON noted that the number of States Parties to the Convention on the Rights of the Child had reached 181; attainment of the goal of universal ratification was very close.

2. The Committee on the Rights of the Child had continued to discharge its responsibilities under the Convention competently and effectively. In addition to considering reports by States parties, it had discussed with specialized agencies, United Nations organs and other competent bodies further ways of strengthening coordination in order to achieve more effective implementation of the Convention. At its most recent session, it had devoted a day to discussing the administration of juvenile justice.

3. The current Conference had been convened primarily to consider and vote on a proposed amendment to article 43, paragraph 2, of the Convention, submitted by the Government of Costa Rica under article 50, paragraph 1. The proposal, which had been transmitted to the States parties by the Secretary-General in a note verbale, sought to increase the membership of the Committee from 10 to 18. He drew attention to a note by the Secretary-General on the subject, contained in document CRC/SP/18/Rev.1.

ELECTION OF THE CHAIRPERSON

4. Mr. PAULAUSKAS (Lithuania) nominated Mr. Muthaura (Kenya) for the office of Chairperson.

5. Mr. ABDELRAHMAN (Sudan) seconded the nomination.

6. Mr. Muthaura (Kenya) was elected Chairperson by acclamation.

7. Mr. Muthaura (Kenya) took the Chair.

ADOPTION OF THE AGENDA (CRC/SP/17/Rev.1)

8. The agenda was adopted.

9. The CHAIRPERSON, drawing attention to rules 2 and 3 of the rules of procedure concerning the timely submission of credentials, noted that the Secretary-General had yet to receive proper credentials from some of the States parties represented at the Conference. He urged the representatives of those States parties to see to it that their credentials were submitted as soon as possible. In the meantime, he suggested that they should provisionally be entitled to participate in the Conference.

10. It was so decided.

ELECTIONS OF OTHER OFFICERS OF THE CONFERENCE

11. The CHAIRPERSON said that the Group of Asian States had nominated Mr. Phanit (Thailand), the Group of Eastern European States had nominated Mr. Gorita (Romania) and the Group of Western European and Other States had nominated Mr. Willis (Australia) for the office of Vice-Chairperson.

12. Mr. TELLES RIBEIRO (Brazil), speaking on behalf of the Group of Latin American and Caribbean States, nominated Mrs. Castro de Barish (Costa Rica) for the office of Vice-Chairperson.

13. Mr. Phanit (Thailand), Mr. Willis (Australia), Mr. Gorita (Romania) and Mrs. Castro de Barish (Costa Rica) were elected Vice-Chairpersons by acclamation.

CONSIDERATION OF THE AMENDMENT TO ARTICLE 43, PARAGRAPH 2, OF THE CONVENTION, PROPOSED BY COSTA RICA UNDER ARTICLE 50, PARAGRAPH 1, OF THE CONVENTION (CRC/SP/1995/L.1/Rev.1)

14. The CHAIRPERSON drew attention to the note by the Secretary-General, contained in document CRC/SP/18/Rev.1. The note recalled that the World Conference on Human Rights had recommended that the Committee on the Rights of the Child should be enabled expeditiously and effectively to meet its mandate, especially in view of the unprecedented extent of ratification and subsequent submission of country reports. The purpose of the proposed amendment, submitted in accordance with article 50, paragraph 1, of the Convention, was to increase the membership of the Committee from 10 to 18.

15. Mrs. CASTRO de BARISH (Costa Rica) said that Costa Rica's concern for the welfare of children had been amply demonstrated in many forums. She hoped that universal ratification of the Convention would be achieved very soon.

16. Her Government had been trying for the past three years to secure consideration of an amendment to the Convention which would increase the membership of the Committee on the Rights of the Child. Such an amendment was becoming increasingly necessary because of the considerable increase in the number of States parties. The participation of eight additional experts would enhance the Committee's effectiveness and efficiency, making it better able to consider the manifold problems confronting children the world over and to deal with the current backlog of reports submitted by States parties. She urged the Conference to adopt the proposed amendment, which had been revised in order to obtain the broadest possible support.

17. Ms. STAMATOPOULOU-ROBBINS (Secretary of the Conference) drew attention to the statement by the Secretariat contained in document CRC/SP/19, detailing the financial implications of the proposed amendment and the provision made for the resulting additional expenditures in the proposed programme budget for the biennium 1996-1997.

18. Mr. AL-DOSARI (Bahrain) said that the growing number of States parties to the Convention had increased the Committee's workload significantly. His

delegation therefore supported the proposal to expand the Committee's membership.

19. Mr. FERNANDEZ (Spain) said that the reference in the second preambular paragraph of the revised amendment to "181 States parties" should be amended to "182 States parties" to reflect the current number of States parties to the Convention. Speaking on behalf of the States members of the European Union, he said that it would be necessary to clarify how the proposed amendment to article 43, paragraph 2, of the Convention would affect the procedure for the election of members of the Committee provided for in paragraph 6 of that article.

20. Ms. STAMATOPOULOU-ROBBINS (Secretary of the Conference) confirmed that Kiribati had just deposited its instrument of accession to the Convention, bringing the number of States parties to 182.

21. The CHAIRPERSON said that, if he heard no objection, he would take it that the Conference wished to adopt the proposed amendment.

22. The proposed amendment in document CRC/SP/1995/L.1/Rev.1 was adopted by consensus.

23. Mr. USUI (Japan) said that, while his delegation had joined in the consensus on the amendment, it hoped that the additional financial burden imposed by the Committee's expansion would be kept to a minimum. Given the current financial situation of the United Nations, it also hoped that the Committee's working methods would be reviewed in order to enhance their efficiency and effectiveness.

24. Ms. HALL (United Kingdom) said that her delegation had joined in the consensus on the amendment. However, it believed that the amendment should form part of a broader range of measures to improve the Committee's working methods, so as to prevent the Committee's expansion from becoming counterproductive. The programme budget implications of the Committee's expansion would be $518,000 per biennium. Her delegation reserved the right to return to the financial aspect of the amendment at the appropriate time and noted that resources for servicing an expanded Committee were likely to be available only at the expense of the other treaty monitoring bodies.

25. Mr. RATA (New Zealand) said that his country looked forward to universal ratification of the Convention on the Rights of the Child and was committed to ensuring an effective mechanism for monitoring its implementation. His delegation had supported various recent initiatives to enable the Committee on the Rights of the Child to make headway in dealing with its increasingly heavy workload. That was why it had also supported the amendment to the Convention. It was somewhat concerned, however, that little information had been provided to demonstrate the utility of expanding the Committee and that there did not seem to have been a thorough examination of the Committee's workload and working methods. It would also have appreciated an analysis of the financial implications before the amendment was adopted. New Zealand had joined in the consensus in the hope that the increase in the Committee's membership would result in a significant increase in its output.

26. Mr. FEINER (Germany) said that his delegation had joined in the consensus on the amendment on the understanding that the additional costs arising therefrom would be financed from existing resources and that the increase in the membership of the Committee would not lead to a reduction in its number of sessions. The efficient functioning of the Committee should be the foremost consideration.

OTHER MATTERS

27. Mrs. CASTRO de BARISH (Costa Rica) proposed that the Conference adopt the following draft decision, based on article 43, paragraph 6, of the Convention, in order to clarify the procedure for the first election of members to the expanded Committee on the Rights of the Child: "The understanding of the States parties regarding the procedure to be followed at the first election after the entry into force of the revision is based on paragraph 6 of article 43 of the Convention. At the first election, 13 new members of the Committee will be elected. The term of four of the members elected shall expire at the end of two years. Immediately after that election, the names of these four members shall be chosen by lot by the Chairperson of the meeting."

28. Ms. MURUGESAN (India) asked what implications the adoption of the draft decision would have for the Committee on the Rights of the Child.

29. Mr. WANG Xuexian (China) suggested that the text of the draft decision should be distributed to all States parties for further consideration.

30. The CHAIRPERSON asked the Secretary to explain to the Conference the implications of the proposed draft decision.

31. Ms. STAMATOPOULOU-ROBBINS (Secretary of the Conference) said that the draft decision referred to the way in which the amendment increasing the membership of the Committee from 10 to 18 would be implemented at the first election of members to the expanded Committee. On that occasion, a total of 13 new members would have to be elected, 5 of them from among the current members of the Committee and 8 in implementation of the amendment. According to article 43, half of the membership of the Committee was renewed every two years. Therefore, if the new membership of the Committee totalled 18, 9 members would have to be elected every two years. The draft decision attempted to clarify the procedure for the first election and also which of the new members would be elected for two years and which for four years. As stated in the draft decision, 13 new members of the Committee would be elected at the first election, the term of 4 members would expire at the end of two years and the 4 members in question would be chosen by lot by the Chairperson of the meeting immediately after the election.

32. Mr. MONGBE (Benin) said that his delegation was satisfied with the explanation given by the Secretary.

33. Mr. SEPELEV (Russian Federation) asked how the principle of equitable geographical distribution would be taken into account when the additional Committee members were elected.

34. Mr. MEKDAD (Syrian Arab Republic), supported by Mr. WISSA (Egypt), asked whether the procedure set forth in the draft decision was consistent with the procedures used in other committees.

The meeting was suspended at 12.20 p.m. and resumed at 12.40 p.m.

35. The CHAIRPERSON drew attention to the draft decision on the procedure to be followed at the first election after the entry into force of the amendment, the text of which had been distributed.

36. Ms. MURUGESAN (India) said that her delegation needed more time to consider the implications of the draft decision and to consult with its legal specialists in that regard.

37. Mr. TELLES RIBEIRO (Brazil), Mr. MONGBE (Benin) and Mr. AGGREY (Ghana) endorsed the statement by the representative of India and requested further time to consider the draft decision.

38. Mr. FERNANDEZ (Spain) recalled that the draft decision had been put forward because it had been felt that it would obviate future difficulties. In the third line of the draft decision, the word "new" should be deleted since some of the current members of the Committee might be re-elected.

38. Mr. FERNANDEZ (Cuba) said that his delegation endorsed the statement by the representative of India and was not in a position to take action on the draft decision at that time. The matter could be deferred until the next Meeting of the States parties, to be held in January 1996.

39. Mrs. KABA (Côte d'Ivoire), supported by Mrs. LIMJUCO (Philippines) and Mrs. LOPES da ROSA (Guinea-Bissau), endorsed the statement made by India and stressed the need to ensure that the principle of equitable geographical distribution was observed in electing the members of the Committee.

40. The CHAIRPERSON suggested that the draft decision should be taken up at the next Meeting of the States parties.

41. It was so decided.

The meeting rose at 1 p.m.